

**STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION**

Norfolk Southern Railway Company,
Petitioner,

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: T11-0140
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Petition for Variance from 92 Ill. Adm. Code
Part 1500.270 of the Illinois Administrative Code.

**STAFF RESPONSE TO NORFOLK SOUTHERN RAILWAY COMPANY'S
OCTOBER 27, 2011, PETITION**

Now comes Staff of the Commission (Staff), and in response to the Petition filed by the Norfolk Southern Railway Company (Company or NS), respectfully states as follows:

1. Staff has no objection to the Company's Petition, which includes the installation of a new track ("CJ #2 track"), which will temporarily have a clearance of 8 feet and 3 inches to a single ComEd power pole. Per Ill. Adm. Code Section 1500.270, 9 feet of clearance is required, and Staff has no objection to the temporary variance sought.
2. The NS and ICC Staff have contacted ComEd regarding the relocation of the power pole, and the work is currently scheduled for November 21, 2011.
3. During the period prior to the pole relocation, Staff concurs with the NS's use of a Superintendent's Notice and installation of "Warning – Close Clearance" signs.

Respectfully submitted
October 24, 2011



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